

**GREGG J. BORRI LAW OFFICES**  
**61 Broadway, Suite 2125**  
**New York, New York 10006**  
**(212) 980-8866**

**Attorneys for Defendants & Counterclaim Plaintiff**  
***Marie Pupke & Eiffel Investment Group and Associates, LLC***

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

-----X

**KIMBERLY A. CARPENTER, et al.,**

**Plaintiffs,**

**-against-**

**07 CIV 5689 (UA/LMS)**  
**ECF Case**

**MARIE PUPKE, et ano.,**

**Defendants.**

-----X

**EIFFEL INVESTMENT GROUP AND**  
**ASSOCIATES, LLC,**

**MOTION FOR LEAVE**  
**TO SERVE FIRST**  
**AMENDED ANSWER AND**  
**COUNTERCLAIMS**

**Counterclaim Plaintiff,**

**-against-**

**KIMBERLY A. CARPENTER,**  
**ARTHUR ACKERT, JR.,**  
**DENNIS LORE,**  
**ARTHUR ACKERT, SR.,**  
**SUPERIOR WALLS OF HUDSON VALLEY, INC.,**  
**AACK LAND DEVELOPMENT, LLC,**  
**HORIZON REAL PROPERTY DEVELOPMENT, LLC,**  
**and FAIRVIEW BLOCK AND SUPPLY CORP.,**

**Counterclaim Defendants.**

-----X

Defendants Marie Pupke and Eiffel Investment Group and Associates, LLC, move this Court for leave to serve and file the attached First Amended Answer and Counterclaims pursuant to Fed. R. Civ. P. 15(a)(2).

Dated: New York, New York  
August 5, 2008

**GREGG J. BORRI LAW OFFICES**

By: s/  
Gregg J. Borri (GJB 5971)  
Attorney for Defendants & Counterclaim Plaintiff  
***Marie Pupke & Eiffel Investment Group***  
61 Broadway, Suite 2125  
New York, New York 10006  
(212) 980-8866  
gborri@borrilaw.com

**SWEETAPPLE, BROEKER & VARKAS, PL**  
Attorney for Defendants & Counterclaim Plaintiff  
***Marie Pupke & Eiffel Investment Group***  
150 East Boca Raton Road  
Boca Raton, Florida 33432  
(561) 392-1230